

Women's World Cup. This was the women's third world title. In fact, in their 31-year history, they have not placed lower than third in the World Cup.

Much of the team's success can be attributed to the impact of title IX. Title IX's implementation means that schools have to give girls equal opportunity to play sports, and this opened the door to a new generation of girls who grew up on soccer fields and went on to represent our country on the U.S. Women's National Team, including Hawaii's own Natasha Kai, who became a breakout soccer star, playing for Kahuku High School and the University of Hawaii. Natasha went on to become part of the 2008 U.S. women's soccer team at the Beijing Olympics, and they brought home a Gold Medal.

While Natasha and the Women's National Team are examples of success thanks to title IX, they also remind us that our work is not done. After years of getting paid less than their male counterparts even though they were more successful, five members of the Women's National Team filed a complaint with the Equal Employment Opportunity Commission alleging wage discrimination. Earlier this year, this Senate unanimously passed a resolution supporting their fight for equal pay.

Of course, the fight for equal pay and equal rights is not limited to women in sports; it extends to women in all fields. This month, I am introducing two new bills that build on Patsy's work to further improve gender equity.

The Equity in Career and Technical Education Act would give schools more resources to close equity gaps in career and technical education. It also provides support to students interested in nontraditional career paths.

The second bill, the Gender Equality Educational Act, would increase training and grants to help States, school districts, and institutions of higher learning implement programs and policies to reduce sex discrimination and comply with title IX requirements. This bill also includes nondiscrimination on the basis of sexual orientation and gender identity.

Science, technology, engineering, and math, or STEM, is one area where gender equity improvements need to be made, especially in light of the fact that there will be a need in our country for millions of workers with STEM backgrounds.

In March, I read an op-ed from Hope Jahren, a geobiology professor at the University of Hawaii. She wrote in the New York Times about the pervasive challenges women face in education and the workplace, particularly in the STEM fields. She painted a very disturbing picture of how widespread harassment and other barriers discourage young women from pursuing STEM careers.

Women are much more likely than men to switch out of STEM majors in college and leave the STEM workforce.

Moreover, many girls drop out of STEM pursuits long before they ever get to college. The many reasons for women abandoning STEM pursuits include negative stereotypes about women in STEM, perceived gender barriers, feelings of isolation in their jobs, and the lack of role models and mentors.

These challenges are only compounded for women of color. Asian American and Pacific Islander women often report facing bullying, sexual harassment, and discrimination in educational settings because of language issues, cultural stereotypes, and even immigration status.

I have introduced two bills to combat these systemic barriers. These bills seek to improve outreach and success of women and minorities at all stages of the STEM pursuits. We need to keep women in the STEM pipeline if we are going to come up with the millions of workers we need with STEM backgrounds in our country to keep us competitive.

Title IX has been life-changing for millions of girls and women for 44 years. Passing this law was a landmark achievement. It is a strong foundation that we must continue to build upon.

I would like to close this morning by turning to another seminal law—the Voting Rights Act—that made real for millions of Americans their fundamental right to vote. Saturday is the third anniversary of the Supreme Court's devastating and disastrous ruling in Shelby County. In a 5-to-4 decision, that case essentially gutted the Voting Rights Act and made it easier for States to make voting harder. At least 13 States have done just that.

Alabama passed a law that would require voters to show a photo ID. The State then kept 31 driver's license offices in predominantly African-American communities open just 1 day a month—1 day a month—for people to get their IDs. The city of Athens, GA, has proposed closing nearly 12 polling places, replacing them with only two early-voting centers, both of which would be located in police headquarters. Intimidating? I would say so. These are just a few examples of laws that, in effect, make it harder to vote.

So our work is not done. Three years after the Shelby decision and the ensuing laws passed by too many States to limit voting, we in Congress must enact laws that recognize beyond a shadow of a doubt that voting is a fundamental right of a free nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:07 p.m., recessed subject to the

call of the Chair and reassembled at 1:14 p.m. when called to order by the Presiding Officer (Mr. SASSE).

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The majority leader.

MOTION TO RECOMMIT WITHDRAWN

Mr. McCONNELL. Mr. President, I withdraw my motion to recommit.

The PRESIDING OFFICER. The motion is withdrawn.

MOTION TO COMMIT WITH AMENDMENT NO. 4858

Mr. McCONNELL. I move to commit the bill to the Judiciary Committee with instructions. This is amendment No. 4858.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to commit the bill to the Judiciary Committee with instructions to report back forthwith with an amendment numbered 4858.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. McCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4859

(Purpose: To authorize the Attorney General to delay or deny the transfer of firearms and explosives and issuance of Federal firearms and explosives licenses and permits to known or suspected terrorists.)

Mr. McCONNELL. I have an amendment to the instructions, amendment No. 4859.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. JOHNSON, proposes an amendment numbered 4859 to the instructions of the motion to commit H.R. 2578.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. McCONNELL. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4860 TO AMENDMENT NO. 4859

Mr. McCONNELL. I have a second-degree amendment at the desk, No. 4860.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 4860 to amendment No. 4859.

The amendment is as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of enactment.

The PRESIDING OFFICER. The majority whip is recognized.

Mr. CORNYN. Mr. President, I think later on this afternoon we will have an opportunity yet again to express ourselves on the terrible shooting in Orlando a little over a week ago. Some have wanted to make this a debate about the Second Amendment. Others said that maybe it would be more productive to solve the problem and prevent people like the Orlando shooter from ever being able to commit this terrorist attack.

Sadly, yesterday we voted down the McCain-Burr amendment, which would have provided additional tools to the FBI, which had already had this shooter under investigation on two previous occasions and then taken him off the watch list, having found no evidence or not sufficient evidence to keep him on the watch list. The problem is, unfortunately, that failed.

We know it is important to stop people who would commit acts like this from buying guns. We know we need to alert our law enforcement agencies when people whom they have reason to suspect are planning a terrorist attack. We know it is important to keep them from buying guns. Frankly, the Feinstein amendment and the Cornyn amendment we previously voted on both share those in common—no fly, no buy. The only major difference is whether we are going to engage in a presumption of guilt and deny due process of law. In other words, just because your name appears on some secret list maintained by the Obama administration or any administration, you could somehow be denied a constitutional right.

I said earlier that the Second Amendment is one of the constitutional rights in the Bill of Rights, but there are others, obviously: the First Amendment, the Fourth Amendment, the Fifth Amendment—you name it. If we are going to say somehow that based on a mere suspicion by government and your name on a secret list, you can be denied a constitutional right, that is a dangerous and slippery slope.

Previously, we voted on an amendment that I offered. We got 53 votes—bipartisan support—for that amendment which would provide a means for the FBI to be notified. If somebody who was on one of these lists attempted to buy a gun, there would be a 3-day waiting period, and then the FBI would be able to conduct additional investigations—let's say go to court, get a search warrant, get a wiretap, find out what this is all about and whether they ought to act. Frankly, terrorists—if they are too dangerous to buy a gun, they are too dangerous to be loose in our communities, and it would provide a means consistent with the Constitution for the FBI to do their job and to keep these dangerous terrorists off the street.

We were told by some of our colleagues that the 3 days we provided in the bill wasn't enough. So we said we would be willing to discuss that. There is nothing magical about 3 days. It can't be a year, but it certainly can be more than 3 days. And we suggested that there be an alternative, perhaps, that more Members of the Senate would be comfortable with. We said that was flexible.

Then there were some who said that a probable cause standard is too high a standard to impose on the government to deny somebody a constitutional right. We said that these are people who haven't yet committed crimes, and that is a criminal evidentiary standard. Maybe there is another standard we can agree on that is something more than just a suspicion or because you happen to be from a certain ethnicity or perhaps your religion. There has to be more than just targeting people based on ethnicity and religion or suspicion, but we said that would be flexible as well.

So what it comes down to, and really the differences between the two pieces of legislation we are going to likely vote on this afternoon, is those who believe the government should not have to present the evidence they have in hand to an impartial magistrate or judge. It is just that simple.

Some would say: Well, the fact that the government puts you on the list ought to be enough to deny you your constitutional rights.

Well, having said that, we all believe that terrorists should not get access to guns, but we can't do this in a way that denies who we are as a people or denies our most fundamental law of the land, which is the due process provisions of the U.S. Constitution.

So unfortunately we are engaged in this exercise that, frankly, I don't think would have made much of a difference to what happened in Orlando. To me, that is the great tragedy of the debate we have been having last week and this week. I doubt this would stop anyone who was a licensed firearm owner already and licensed security guard from doing what Oscar Mateen did.

I think the McCain-Burr amendment which was voted down yesterday had some real potential because while the FBI conducted two separate investigations of this shooter previously because of comments he had made and suspicions they had, they didn't find sufficient evidence. An authority that the FBI calls their No. 1 legislative priority had lapsed; that is, to be able to use national security letters to not only gain access to telephone numbers—not content—and financial information but also the Internet addresses and email addresses on Mateen's computer and get that from his Internet service provider.

What is so important about this is that it is not a grant of access to content. That requires a showing of probable cause in a court of law, consistent

with the Fourth Amendment to the U.S. Constitution. But unfortunately, yesterday, the one tool that might have given the FBI some additional information that might have triggered a further investigation, might have kept Mateen on one of these lists, which would have heightened the surveillance and the investigation of this person—it didn't happen.

I would just ask my colleagues, are we engaged here in trying to solve problems and save lives, or is this just a political exercise? Sadly, I think we are guilty of engaging in a political exercise when we are voting on things that actually would not have solved the problem.

We know this is not the last time terrorists will try to attack American citizens here at home. It is going to happen again, sadly, unless we wake up and provide the FBI and our counterterrorism officials the intelligence they need so they can stop these sorts of lone wolf terrorists in place. This is the preeminent threat from ISIS today. It is not what is happening in Syria, not what is happening in Iraq, although that is a serious threat to stability in the Middle East; it is the fact that, unlike 9/11, they don't need to get in an airplane and come here because what they can do is radicalize American citizens in place using their poisonous propaganda on the Internet and through social media.

I simply don't understand why some of our colleagues voted not to give the FBI this authority which is so important for them to collect the dots so they can connect the dots. That is the only way we are going to stop these people, is by making sure that, consistent with who we are as American people and consistent with the Constitution, we let law enforcement officials collect the dots so they can connect the dots.

This afternoon I will be casting my vote in favor of due process of law before anyone's constitutional rights are denied. I would do that for the Second Amendment. I would do it for the First Amendment. I would do it for the Fourth Amendment. I would do it for every provision of our Constitution that represents a right—not given to us by government but our natural rights conferred by us by our Creator.

At this time, Mr. President, I ask unanimous consent that the time from 1:15 p.m. until 2 p.m., including any quorum calls, be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. CARPER. Reserving the right to object—

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I am not going to object.

Mr. President, I was just walking through, seeing what was going to go on later this afternoon. I heard my colleague and friend from Texas talking

He is very thoughtful and knowledgeable of the law. He is a former supreme court justice, as I recall, from the State of Texas and a very good Senator, and he is trying to reach across the aisle to get things done.

I commend SUSAN COLLINS for her work, as well as Senator HEIDI HEITKAMP and others who are trying to get us closer to a no fly, no buy approach.

I would have us keep in mind that I am the son of a guy who was a big hunter and a buyer and trader of guns—my dad, who is now deceased—but he was also a big believer in using common sense with respect to guns as well.

I think most Americans find it troubling, certainly, the idea that somebody could be denied the right to fly on an airplane and then turn around and go buy a gun. I think most Americans agree that is crazy. I hope we are going to take at least a small step in the right direction.

The other thing I find especially troubling—this came from a Bible study group that met here earlier this afternoon with the Chaplain. We talked about the idea that somebody could go to a gun show and be a convicted felon, they could be somebody with a serious mental illness—

Mr. CORNYN. Mr. President, I ask for regular order.

Mr. CARPER. If I could have 1 more minute, I will be done.

Mr. CORNYN. Mr. President, it is hard for me to say no to Senator CARPER because he is such a nice guy and so reasonable, but this isn't a time to be making speeches; it is a time to object or not. So if he has a concluding remark—

Mr. CARPER. I will be very brief. My hope is that at the end of the day, we pass what Senator COLLINS and Senator HEITKAMP have worked on, but I would also come back and consider some other issues where we could actually save more lives. That is my commitment, and I am sure it is one the Senator from Texas shares as well. Thank you.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I would say that if we were united in our desire to actually get to a solution, something that could make a difference, I believe we could. But unfortunately this debate has been hijacked by some who believe that, frankly, the right to keep and bear arms is not an individual right under the Constitution, and they are willing to presume that the government is right because out of mere suspicion your name appears on a secret classified list.

I want to defeat the terrorists. I want to protect the American people. But I don't want to sacrifice who we are as a country and our conviction that constitutional rights are important, including the basic rights in the Bill of Rights, including the right to defend yourself and your family under the Second Amendment.

There is a principle involved here, and in our desire to get to a solution, which I applaud—and the Senator is a reasonable person whom I have worked with in the past and whom I hope to work with in the future—in our haste to try to deal with this issue, we should not violate the very fundamental principles of our Constitution. That is really what is at stake.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4858

Mr. SCHUMER. Mr. President, I see that my colleague, who has worked so hard on this, is waiting. So I will be very brief.

Ever since the senseless tragedy in Orlando, Senate Democrats have been trying to get this body to deal with the issue of gun safety in America. My friend, the junior Senator from Connecticut, had to hold the floor for 15 hours to get votes on two simple, commonsense proposals to keep suspected terrorists from getting guns and on closing loopholes in our background checks.

Those votes failed—shamefully—but my friend, the Republican Senator from Maine has been working diligently to put together a compromise proposal that wouldn't achieve everything we need to do but would make some progress. I commend her for her efforts. I think she sincerely wants to get something done, as does just about every Member of my caucus. So what have Republican colleagues decided to do? They are going to give the Collins amendment a fake vote called a motion to table, which won't do a single thing to make the proposal law.

We have bills to keep guns out of the hands of suspected terrorists, and Republican leaders cynically choose to give it a path to nowhere.

Let me repeat that. The motion to table is a path to nowhere. Even if proponents of the Collins amendment—such as the Senator from Maine, many Democrats, the Senator from New Mexico, the Senator from Virginia, and myself—win on the vote—that is, the motion to table is defeated—even if we win on the vote, the amendment is still pending. Today, we are saying if the motion to table fails, we want a vote next week on the Collins amendment—up or down, plain and simple.

I would say that this motion—the motion to table—is really a motion to kill, because that is what I suspect too many of my colleagues on the other side of the aisle want to do to the Collins proposal and, for that matter, to any reasonable measure on gun safety. They are afraid that if they give it a real vote, it might actually have a chance of passing. That is how strong a

grip the NRA has on this place. Even the most modest of gun safety proposals can't get a real up-or-down vote in the Senate because, God forbid, they might pass.

I would say to my friends on the other side of the aisle that it is cynical. If you are really opposed to the Collins amendment, stand up and vote no. But the Republican leadership knows that the American people—Democrats, Independents, Republicans, North, East, South, and West—are overwhelmingly for preventing terrorists and would-be terrorists from getting guns.

So they can't just say: No, we are opposed. They come up with these legislative gyroscopic turns and twists to try to hide what they are doing, but they can't hide it from us or from the American people, plain and simple.

I say this to the Republican leadership: If the motion to table fails, they should bring the Collins amendment to a real vote. The distinguished majority leader has said many times that he believes in an open amendment process, that his caucus should not be afraid of tough votes. I still don't know why this is a tough vote—to keep guns from suspected terrorists. But, nonetheless, he should keep his word and give a proposal drafted by a Member of his caucus a real up-or-down vote.

Ninety percent of the American people support background checks. Anyone with an ounce of common sense wants to keep guns out of the hands of suspected terrorists. Yet the Senate and the House Republican caucus are fighting against the will of the people at every turn. Even if the vote to table succeeds, we should have a real debate and a real vote on the Collins amendment.

If it fails, certainly then, it is still with us. If it succeeds, let's have another vote and a real discussion on the Collins amendment when we come back next week.

For the sake of tens of thousands of victims of gun violence every year, we have to make real strides when it comes to keeping guns out of the wrong hands.

Let's start by giving the Collins amendment a real up-or-down vote. Let's show the NRA that they cannot rule what is said, voted on, and approved in this Chamber, the other Chamber, or in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise to call up amendment No. 4858.

The PRESIDING OFFICER. The amendment is pending.

Ms. COLLINS. Mr. President, this amendment is unusual when we are debating issues such as terrorist watch lists and the appropriate restrictions that are needed—desperately needed—to ensure that people who are suspected or known terrorists are not able to purchase firearms.

How is it unusual? It is bipartisan. Surely, on an issue of this importance,

we should be able to come and work for commonsense solutions. This bipartisan amendment is cosponsored by Senators HEITKAMP, AYOTTE, HEINRICH, FLAKE, KAINE, GRAHAM, KING, KIRK, NELSON, MANCHIN, and BALDWIN.

I sincerely thank each of the cosponsors for their many contributions to our amendment and for their support in crafting what is a commonsense proposal.

Our amendment has three basic provisions. First, it would block the purchase of firearms by individuals who are on the no-fly list or on the selectee list. Essentially, the premise of our amendment is that if you have been designated as too dangerous to fly on an airplane or you have been designated as someone who needs extensive, secondary screening—extra screening before you are allowed to board a plane—you should not be able to buy a gun.

Second, our amendment would provide an immediate alert to the FBI and to local law enforcement if an individual who has been on the government's terrorist watch list at any time during the past 5 years purchases a firearm.

The Orlando shooting provides, perhaps, the clearest example of why this provision is so important. The gunman was on the selectee list for approximately 10 months, but then he was off the list when he purchased the two guns used to kill 50 people and injure scores more.

If our amendment were enacted, the FBI would have been notified immediately when he purchased the first firearm in the weeks leading up to the shooting. Then the FBI would have been notified a second time that the former terrorism suspect, who had watched videos of Anwar al-Awlaki, was seeking to purchase additional firearms in a short period of time. Surely that would have caused the FBI to reopen its investigation of Omar Mateen. Perhaps, if our proposal had been in effect, that massacre would have been prevented.

Third, our amendment provides robust, due process procedures to protect the Second Amendment rights of law-abiding Americans. Any American denied a purchase under this amendment would have the opportunity to have their case heard before a Federal district judge.

The government would have the burden of proof in order to deny the sale and would have to present its case within a short but reasonable period of time. If the government failed to make its case, if this turned out to be some terrible error, it would have to pay attorneys' fees for the person who had been denied the purchase and, of course, the purchase of the firearm could go forward.

Our amendment makes sure that the applicant can have cleared counsel present to make sure that the government cannot take away a fundamental right without a legal advocate to protect their due process rights.

Critics of our amendment have mistakenly claimed this will allow Americans to be denied the right to keep and bear arms based merely on suspicion or a hunch. That is simply not true. We are not using the terrorist screening database, which has 1.1 million people on it. That is not what we are using. We are using the carefully defined No Fly and selectee lists because those are the most carefully constructed subsets of all of the government's terrorist watch lists. These two lists include the names of individuals who pose the greatest threat of committing an act of terrorism against aviation, against the homeland, against U.S. interests overseas. And there are, in fact, only 109,000 individuals on this list, of which only 2,700 are Americans.

Mr. President—

The PRESIDING OFFICER. The time for the majority has expired.

The Senator from Virginia.

Mr. KAINE. Mr. President, I wish to compliment my colleagues and others for their leadership on this issue. I just want to point out something about the institution and what we are about to do.

Monday night we had competing proposals from both parties to deal with this challenging issue of no guns for terrorists. Not surprisingly, the majority party wouldn't support the minority party, and the minority party wouldn't support the majority party. And none of the bills got enough votes to go forward.

Now there is a bipartisan version on the floor. Now there is a version where both parties have worked together to do something commonsensical to stop this carnage of gun violence we are seeing in the country. And I am just curious as to why one side wants to fight against a bipartisan proposal by putting up a motion to table. That is what this is.

I hope we are able to get over that motion to proceed. But it is important to point out that when a bipartisan proposal is on the floor, where the sides are reaching together to try and do something good for our citizens, one side is trying to kill the bipartisan proposal and one side is supporting it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise today in support of the bipartisan compromise amendment drafted by the Senator from Maine, Ms. COLLINS. I say it is a good first step, and I say it is even more than that. It is a significant step forward in gun control and violence control.

I can assure you, from those of us who want to control violence, this in no way will impinge against Second Amendment rights. But we do want to curb violence in our country, which is at an epidemic level. I want to compliment Senator COLLINS, and I want to compliment the people who jumped in to help work with her to fashion a compromise. The Senator is known for her

ability to put together a coalition to come up with the best ideas to find common ground.

However, we are doing something more here than finding common ground. We are trying to find higher ground. We are trying to get out of the muck and mire that goes on in this institution, where we use parliamentary techniques to stifle debate, inhibit a clear vote. Even today, with such serious consideration about to take place, we are creating a fog of parliamentary procedure where nobody knows—are you voting yes or no on Collins? Are you voting yes or no on Johnson? What we are going to do is vote on the motion to table so we don't go backward.

Of course, the American people are fed up. I am fed up. But I admire what the Senator from Maine did because her amendment—her amendment—puts us in the right direction. Why should a person be able to buy a gun to kill people when they are on the no-fly list? If you are not allowed to fly because there is fear that you will blow up an airplane, shouldn't there be fear that if you are on that same list, you will buy a gun and blow people out of wherever they are?

Oh, my gosh, when are we going to kind of man up in this institution? When are we actually going to do that? Sure, I am a champion of women's rights, but like, hello, don't we have the backbone and verve and so on to actually have straightforward debate? There is an amendment before us which is substantive and has content, and there are different views.

I want to say I support the Senator for what she is doing. The FBI under her amendment would be notified when a person who has been on the terror list at any time in the last 5 years tries to purchase a firearm. If the Collins amendment had been law, we would have alerted the FBI that the Orlando shooter wanted to buy a gun and the Second Amendment would have been protected. But most of all, those people in that nightclub would have been protected.

I am for protecting the Constitution, but I am protecting the point of the Constitution. When we take an oath, it is to defend the Constitution, but it is also to defend the American people against all enemies, foreign and domestic. Now, when we meet the enemy and it is us, we will not act. We have to act.

The effort offered by the Senator from Maine is compromise without capitulation on principle. It is what the people want. It has intellectual rigor. It meets the constitutional test. I hope we support it, and I hope somewhere we start giving votes up and down and not hiding behind the fog of parliamentary procedure.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Before my comments, I would like to yield 2 minutes to the junior Senator from Arizona, who has been so instrumental in advancing this proposal.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. I thank the Senator for yielding. I rise to thank the Senator from Maine for all the work she has put into this and all those in the bipartisan coalition who have come together and said: Let's actually put something on the floor that can pass, not that is designed to be used as a cudgel to beat the other party with. Let us actually do something designed to work.

That is what this bipartisan proposal is all about. It has been well described as to what it actually does and how it protects the due process provisions that are there.

Let me simply say that I grew up in rural Arizona. That is where my heart still is. I am a gun owner and always will be. I take my Second Amendment rights very seriously. This amendment, the bipartisan amendment, is consistent with those rights. It also will have an impact. If somebody is dangerous enough that we prohibit them from flying on a plane, they should not be able to purchase a firearm. That is the bottom line. That is what the bipartisan amendment will actually solve.

I would encourage my colleagues to support it. If we don't, we will be back here. Believe me, this issue will not go away. It will just be after we have another massacre, and we will say: Why didn't we do it before? Why didn't we give the FBI notice that somebody had purchased a firearm, or why didn't we block the purchase of that firearm for somebody on those lists?

I appreciate the work that has been done on this. I appreciate the hard work that has gone into this bipartisan amendment. I urge support of it.

I yield back, and I thank my colleague for yielding.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, this is a national security measure. It is a national security measure. It is about protecting our country.

The preamble of the United States Constitution—which establishes the reason this country was founded, the reason the Constitution was passed—says that the most solemn obligation we have is to insure domestic tranquility and provide for the common defense. That is keeping people safe, and that is what this amendment is about.

Sure, it touches on guns, but what it is really about is keeping guns out of the hands of terrorists. It is straightforward. It is simple. It is easy to understand. There should be no controversy about this. It has due process built in. It has a provision built in that might have prevented the tragedy that occurred in Orlando.

Many of my colleagues talk about our being at war and being in conflict. We are in conflict. People want to do us harm. And why we would want to facilitate their arming themselves within our own country? It makes no sense. This is about national security. It is

the most solemn obligation we have. This amendment should go through this body and the other body in the next few days, or we are failing our responsibility to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I want to thank my colleagues, especially SUSAN COLLINS and HEIDI HEITKAMP and JEFF FLAKE, and everyone who has worked so hard to actually come out of our partisan corners and do something for a change.

It is very easy for us all to sit back and take comfortable votes. This is not going to be a comfortable vote, but it should be. It is the most nonpartisan, straightforward, commonsense amendment I have seen in many years around here. It says, basically, if you are so dangerous that we can't let you on an airplane, well, maybe you shouldn't be able to buy a gun, no questions asked.

I have spent more time with firearms than most of the folks in this Chamber. I have no reservations about this amendment. It protects the Second Amendment, it includes due process, and it will keep terrorists from being able to buy firearms in this country. Maybe it is too commonsense for this body.

I want to thank everybody who was willing to get to this uncomfortable place and do the right thing, and I yield the remainder of my time to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. I thank my colleague.

Mr. President, I think for the first time in a long time, on a very, very contentious issue, we have an amazing group of Senators who have come together in a very bipartisan way to simply say that there is an opportunity to balance the important right that is presented in the Second Amendment and to protect the security of the people in our country.

The vast majority of gun owners in this country would gladly give up those extra 14 days in order to secure safety and security for the American people. When you look at the overall balance and the Second Amendment—and to many, many people in my State, it is a critical and important individual right. That right has been recognized by the Supreme Court. We need to appreciate that is a right just as sacred as a Fourth Amendment right, a Fifth Amendment right, and a First Amendment right.

What we have done here is achieve a balance by simply saying: If you are too dangerous to get on an airplane, maybe we ought to take a second look. But think about the process we have established—in a mere 14 days, direct access to a court, direct access and opportunity to secure your right. We are asking people just to delay for an extra 14 days.

As our colleague from South Carolina said, once the gun is in their hand,

there is nothing you can do about it—in the hands of a terrorist. There is nothing you can do. You can't get it back. But you can always secure a Second Amendment right through an appropriate due process mechanism.

Today we have struck that balance. We have worked very hard to try and come up with a proposal that can achieve bipartisan support. I would ask everyone in this body to take a second look, think about the balance, but also talk to the vast majority of gun owners in your State who would say: We agree with this proposal. We agree with it—no fly, no buy.

Let's protect the American people. Let's protect the Second Amendment. Let's do what we are supposed to do here, which is to achieve a balance that actually protects the American people but also protects our Constitutional liberties.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 1 minute remaining.

Ms. MIKULSKI. Would the Senator from Maine like to have 1 minute to conclude?

Ms. COLLINS. I thank my colleague very much.

Ms. MIKULSKI. I yield such time to the Senator.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment is a commonsense approach to help make Americans safer. And I think it is highly significant that we have just received a letter that is signed by a group of generals and admirals who have been on the frontlines in fighting terrorism—people like General Petraeus—who are endorsing the bipartisan amendment that we have put forth.

Mr. President, let's not miss this opportunity to make a difference, to get something done. Let's listen to the heartbroken families in Orlando, in San Bernardino, in other terrorist attacks. This is common sense. It does not infringe upon the Second Amendment rights of Americans. All it does is say that if you are too dangerous to board an airplane, you are too dangerous to buy a gun. I urge my colleagues to support our amendment.

I thank the Senator from Maryland.

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there be 2 minutes, equally divided, prior to each vote today.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTION TO COMMIT WITH AMENDMENT NO. 4858

Mr. MCCONNELL. Mr. President, I move to table the motion to commit with instructions, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

There is 2 minutes of debate, equally divided.

Mr. MCCONNELL. I yield back.

Ms. MIKULSKI. I yield back.

The PRESIDING OFFICER. The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 52, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—46

Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Crapo	McCain	Thune
Cruz	McConnell	Tillis
Daines	Moran	Vitter
Enzi	Murkowski	Wyden
Ernst	Paul	
Fischer	Perdue	

NAYS—52

Alexander	Franken	Murray
Ayotte	Gillibrand	Nelson
Baldwin	Graham	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Booker	Hirono	Schatz
Boxer	Kaine	Schumer
Brown	King	Shaheen
Cantwell	Kirk	Stabenow
Cardin	Klobuchar	Tester
Carper	Leahy	Toomey
Casey	Manchin	Udall
Coats	Markey	Warner
Collins	McCaskill	Warren
Coons	Menendez	Whitehouse
Donnelly	Merkley	Wyden
Durbin	Mikulski	
Flake	Murphy	

NOT VOTING—2

Feinstein Sanders

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 4859

Mr. MCCONNELL. Mr. President, I move to table the Johnson amendment No. 4859 to the instructions of the motion to commit, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There is 2 minutes, equally divided, for debate.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I would like to ask all of my colleagues a simple question: How many more constitutional rights are we going to give up in response to Islamic terror?

Coming from a business background, I certainly found out the way to reach agreement is to try to find areas of agreement. Here is something we can all agree on. Nobody in this Chamber,

no American wants to see weapons transferred into the hands of terrorists or would-be terrorists. We can agree on that. We are so close. I applaud SUSAN COLLINS and our other colleagues for trying to work to a bipartisan agreement to try to accomplish that goal.

My amendment simply adds due process on the front end. Otherwise, it is pretty much identical to what the other Senators on a bipartisan basis were trying to achieve. Please, let's continue to work together. Let's try to find those areas of agreement to accomplish the goal of keeping weapons out of the hands of terrorists, would-be terrorists, while not giving up our constitutional rights.

I ask my colleagues to please vote to not table my amendment so we can continue this discussion and find areas of agreement.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I want the Senator to know our side does support the Second Amendment, but we support all of the amendments of the Constitution—not just one. One of those is the right to speech, and implicit in that is maybe to get a real vote on real substance.

I yield to the Senator from North Dakota to far more articulate the substance. Let's not only support the Constitution but the oath we took to defend all people against enemies, foreign and domestic, and that is what we want to do.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, we have been asked to vote on this. It is 20 pages—20 pages that we were just handed. We asked DOJ to help us analyze this so we can best evaluate whether that is a good vote. According to the DOJ, this would not stop them from denying one person a gun.

We are here to say no-fly, no-buy. This doesn't do it. As we work through the Collins amendment, I suggest we continue to have those discussions, but we have a vehicle on the floor where we can have further discussions with any Senator who wants to continue to have a conversation.

The PRESIDING OFFICER. The time has expired.

The question is on agreeing to the motion.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 31, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—67

Ayotte	Flake	Paul
Baldwin	Franken	Peters
Barrasso	Gardner	Reed
Bennet	Gillibrand	Reid
Blumenthal	Heinrich	Risch
Booker	Heitkamp	Roberts
Boozman	Hirono	Sasse
Boxer	Hoeven	Schatz
Brown	Kaine	Schumer
Cantwell	King	Sessions
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Leahy	Stabenow
Collins	Lee	Sullivan
Coons	Markey	Tester
Cotton	McCaskill	Thune
Crapo	Menendez	Udall
Cruz	Merkley	Warner
Daines	Mikulski	Warren
Donnelly	Moran	Whitehouse
Durbin	Murphy	Wyden
Enzi	Murray	
Fischer	Nelson	

NAYS—31

Alexander	Grassley	Perdue
Blunt	Hatch	Portman
Burr	Heller	Rounds
Capito	Inhofe	Rubio
Cassidy	Isakson	Scott
Coats	Johnson	Tillis
Cochran	Lankford	Toomey
Corker	Manchin	Vitter
Cornyn	McCain	Wicker
Ernst	McConnell	
Graham	Murkowski	

NOT VOTING—2

Feinstein Sanders

The motion was agreed to.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the conference report accompanying H.R. 2577.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 2577, which will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 2577), making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of June 22, 2016.)

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows: